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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,667	05/01/2006	Michiaki Omura	W1878.0232	6962
32172	7590	08/07/2008	EXAMINER	
DICKSTEIN SHAPIRO LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE) NEW YORK, NY 10036-2714			DONABED, NINOS J	
ART UNIT		PAPER NUMBER		
2144				
MAIL DATE		DELIVERY MODE		
08/07/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/577,667	OMURA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	NILOS DONABED	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 June 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-24 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

***Response to Amendment***

This action responsive to Applicant's Request for Continued Examination (RCE) amendment filed on 06/19/2008. Claims 1, 7, 13, and 19 have been amended. Claims 1-24 are pending.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 7, 9, 13, 15, 19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kenji (Japanese Publication Number 2002-049711).

Regarding **Claim 1**,

Kenji discloses a network system comprising: (**See Figure 1, Kenji**)  
an information terminal connectable to a network; (**See figure 1 and paragraphs [0015] – [0016], Kenji discloses an information terminal.**)

a distribution server for distributing video and/or audio data to said information terminal through said network while said information terminal is being connected to said network; and (**See figure 1 and paragraphs [0015] – [0020], Kenji discloses a distribution server for distributing video and/or audio to information terminal.**)

a storage server for storing a message of video and/or audio contents when said message is sent from said information terminal to said network in response to the video and/or audio data that has been distributed to the information terminal from said distribution server while said information terminal is being connected to said network.

**(See figure 1 and paragraphs [0012], and [0017] – [0020], Kenji discloses a storage server for storing a message from a user of the information terminal.)**

Regarding **Claim 3**,

Kenji discloses the network system according to claim 1, further comprising: image capturing and/or sound collecting means installed in a predetermined location for capturing images and/or collecting sounds of said predetermined location to produce said data; **(See figure 1 and paragraphs [0011] – [0013], Kenji)**

wherein said distribution server distributes said data produced by said image capturing and/or sound collecting means through said network to said information terminal in real time. **(See figure 1 and paragraphs [0004] – [0006], Kenji)**

Regarding **Claim 7**,

Kenji discloses a network system comprising:

The first information terminal and a second information terminal which are connectable to a network; **(See Figure 1, Kenji)**

a distribution server for distributing video and/or audio data to said second information terminal through said network while said second information terminal which is designated as a distribution destination by said first information terminal is being connected to said network; and **(See figure 1 and paragraphs [0015] – [0020], Kenji discloses a distribution server for distributing video and/or audio to information terminal.)**

a storage server for storing a message of video and/or audio contents when said message is sent from said second information terminal to said network in response to the video and/or audio data that has been distributed to the information terminal from said distribution server while said second information terminal is being connected to said network. **(See figure 1 and paragraphs [0012], and [0017] – [0020], Kenji discloses a storage server for storing a message from a user of the information terminal.)**

Regarding **Claim 9**,

Kenji discloses the network system according to claim 7, further comprising: image capturing and/or sound collecting means installed in a predetermined location for capturing images and/or collecting sounds of said predetermined location to produce said data; **(See figure 1 and paragraphs [0011] – [0013], Kenji) wherein said distribution server distributes said data produced by said image capturing and/or sound collecting means through said network to said information terminal in real time. **(See figure 1 and paragraphs [0004] – [0006], Kenji)****

Regarding **Claim 13**,

Kenji discloses a method of providing a data distribution service, comprising the steps of: **(See figure 1, Kenji)**

distributing video and/or audio data from a distribution server to an information terminal via a downlink through a network based on a request from said information terminal for starting distributing said video and/or audio data; **(See figure 1 and paragraphs [0015] – [0020], Kenji discloses a distribution server for distributing video and/or audio to information terminal.)**

sending a message of video and/audio contents from said information terminal via an uplink through said network to a storage server in response to said video and/or audio data that has been distributed to the information terminal from said distribution server; and storing said message sent from said information terminal in said storage server. **(See figure 1 and paragraphs [0012], and [0017] – [0020], Kenji discloses a storage server for storing a message from a user of the information terminal.)**

Regarding **Claim 15**,

Kenji discloses the method according to claim 13, further comprising the step of: capturing images and/or collecting sounds of a predetermined location with image capturing and/or sound collecting means to produce said data; **(See figure 1 and paragraphs [0011] – [0013], Kenji)**

wherein in said step of distributing the data to said information terminal, said distribution server distributes said data produced by said image capturing and/or sound collecting means through said network to said information terminal in real time. **(See figure 1 and paragraphs [0004] – [0006], Kenji)**

Regarding **Claim 19**,

Kenji discloses a method of providing a data distribution service, comprising the steps of: **(See figure 1, Kenji.)**

distributing video and/or audio data from a distribution server to a second information terminal, which is designated as a distribution destination by a first information terminal, via a downlink through a network based on a request from said first information terminal for starting distributing said video and/or audio data; **(See figure 1 and paragraphs [0015] – [0020], Kenji discloses a distribution server for distributing video and/or audio to information terminal.)**

sending a message of video and/or audio contents from said second information terminal via an uplink through said network to a storage server in response to said video and/or audio data that has been distributed to the information terminal from said distribution server; and storing said message sent from said second information terminal in said storage server. **(See figure 1 and paragraphs [0012], and [0017] – [0020], Kenji discloses a storage server for storing a message from a user of the information terminal.)**

Regarding **Claim 21**,

Kenji discloses the method according to claim 19, further comprising the step of: capturing images and/or collecting sounds of a predetermined location with image capturing and/or sound collecting means to produce said data; (**See figure 1 and paragraphs [0011] – [0013], Kenji**)

wherein in said step of distributing the data to said second information terminal, said distribution server distributes said data produced by said image capturing and/or sound collecting means through said network to said second information terminal in real time. (**See figure 1 and paragraphs [0004] – [0006], Kenji**)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 4-6, 8, 10-12, 14, 16-18, 20, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenji (Japanese Publication Number 2002-049711) in view of Ushiki (European Patent Application Publication Number 1355473.)

Regarding **Claim 2**,

Kenji discloses the network system according to claim 1.

Kenji does not explicitly teach an authentication server for authenticating said information terminal when said information terminal requests a start of distribution of the data, using at least one of a time at which said information terminal requests the start of distribution of the data and an identification number of said information terminal; and

a call processing server for performing a call processing process for connecting said information terminal to said network if said authentication server authenticates said information terminal successfully.

Ushika teaches an authentication server for authenticating said information terminal when said information terminal requests a start of distribution of the data, using at least one of a time at which said information terminal requests the start of distribution of the data and an identification number of said information terminal; and **(See figures 1, 4, 15, and paragraphs [0068] - [0073], Ushika.)**

a call processing server for performing a call processing process for connecting said information terminal to said network if said authentication server authenticates said information terminal successfully. **(See figures 1, 4, 15, and paragraphs [0074] - [0084], Ushika.)**

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the authentication server and call processing

server of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (**See paragraphs [0020] – [0028], Ushika.**)

**Regarding Claim 4,**

Kenji discloses the network system according to claim 1.

Kenji does not explicitly teach a gateway device for sending said message from said information terminal through said network to said storage server after the gateway device has detected a signal representing a start of transmission of said message sent from said information terminal until the gateway device detects a signal representing an end of transmission of said message sent from said information terminal;

wherein said storage server has receiving means for receiving said message sent from said gateway device through said network, and storing means for storing said message received by said receiving means.

Ushika teaches a gateway device for sending said message from said information terminal through said network to said storage server after the gateway device has detected a signal representing a start of transmission of said message sent from said information terminal until the gateway device detects a signal representing an end of transmission of said message sent from said information terminal; (**See figures 1-5, and paragraphs [0005] – [0007] and [0056] - [0063], Ushika.**)

wherein said storage server has receiving means for receiving said message sent from said gateway device through said network, and storing means for storing said

message received by said receiving means. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the gateway device of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (**See paragraphs [0017] – [0022], Ushika.**)

Regarding **Claim 5**,

Kenji and Ushika teach the network system according to claim 4, wherein said storage server also has transmitting means for sending said message stored by said storing means to said network. (**See figures 1-5 and 14 and paragraphs [0073] – [0076], Ushika.**)

Regarding **Claim 6**,

Kenji and Ushika teach the network system according to claim 4, wherein said storage server also has display means for displaying said message stored by said storing means. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

Regarding **Claim 8**,

Kenji discloses the network system according to claim 7.

Kenji does not explicitly teach an authentication server for authenticating said first information terminal when said first information terminal requests a start of distribution of the data to said second information terminal, using at least one of a time at which said first information terminal requests the start of distribution of the data and an identification number of said first information terminal; and

a call processing server for performing a call processing process for connecting said second information terminal to said network if said authentication server authenticates said first information terminal successfully.

Ushika teaches an authentication server for authenticating said first information terminal when said first information terminal requests a start of distribution of the data to said second information terminal, using at least one of a time at which said first information terminal requests the start of distribution of the data and an identification number of said first information terminal; and **(See figures 1, 4, 15, and paragraphs [0068] - [0073], Ushika.)**

a call processing server for performing a call processing process for connecting said second information terminal to said network if said authentication server authenticates said first information terminal successfully. **(See figures 1, 4, 15, and paragraphs [0074] - [0084], Ushika.)**

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the authentication server and call processing server of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (**See paragraphs [0020] – [0028], Ushika.**)

Regarding **Claim 10**,

Kenji teaches the network system according to claim 7.

Kenji does not explicitly teach a gateway device for sending said message from said second information terminal through said network to said storage server after the gateway device has detected a signal representing a start of transmission of said message sent from said second information terminal until the gateway device detects a signal representing an end of transmission of said message sent from said second information terminal;

wherein said storage server has receiving means for receiving said message sent from said gateway device through said network, and storing means for storing said message received by said receiving means.

Ushika teaches a gateway device for sending said message from said second information terminal through said network to said storage server after the gateway device has detected a signal representing a start of transmission of said message sent from said second information terminal until the gateway device detects a signal representing an end of transmission of said message sent from said second information terminal; **(See figures 1-5, and paragraphs [0005] – [0007] and [0056] - [0063], Ushika.)**

wherein said storage server has receiving means for receiving said message sent from said gateway device through said network, and storing means for storing said message received by said receiving means. **(See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.)**

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the gateway device of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. **(See paragraphs [0017] – [0022], Ushika.)**

Regarding **Claim 11**,

Kenji and Ushika teach the network system according to claim 10, wherein said storage server also has transmitting means for sending said message stored by said storing means to said network. (**See figures 1-5 and 14 and paragraphs [0073] – [0076], Ushika.**)

Regarding **Claim 12**,

Kenji and Ushika teach the network system according to claim 10, wherein said storage server also has display means for displaying said message stored by said storing means. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

Regarding **Claim 14**,

Kenji discloses the method according to claim 13.

Kenji does not explicitly teach authenticating said information terminal with an authentication server when said information terminal requests a start of distribution of the data, using at least one of a time at which said information terminal requests the start of distribution of the data and an identification number of said information terminal; and

performing a call processing process with a call processing server for connecting said information terminal to said network if said authentication server authenticates said information terminal successfully; wherein in said step of distributing the data to said information terminal, said distribution server distributes the data through said network to

said information terminal while said information terminal is being connected to said network by said call processing server.

Ushika teaches authenticating said information terminal with an authentication server when said information terminal requests a start of distribution of the data, using at least one of a time at which said information terminal requests the start of distribution of the data and an identification number of said information terminal; and (**See figures 1, 4, 15, and paragraphs [0068] - [0073], Ushika.**)

performing a call processing process with a call processing server for connecting said information terminal to said network if said authentication server authenticates said information terminal successfully; wherein in said step of distributing the data to said information terminal, said distribution server distributes the data through said network to said information terminal while said information terminal is being connected to said network by said call processing server. (**See figures 1, 4, 15, and paragraphs [0074] - [0084], Ushika.**)

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the authentication server and call processing server of Ushika into the teachings of Kenji in order to make the transferring of audio or

video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (See paragraphs [0020] – [0028], Ushika.)

Regarding **Claim 16**,

Kenji teaches the method according to claim 13.

Kenji does not explicitly teach sending said message to said storage server, said information terminal sends a signal representing a start of transmission of said message, sends said message, and sends a signal representing an end of transmission of said message, said method further comprising the step of:

sending, from a gateway device, said message sent from said information terminal through said network to said storage server after the gateway device has detected the signal representing the start of transmission of said message sent from said information terminal until the gateway device detects the signal representing the end of transmission of said message sent from said information terminal;

wherein in said step of storing said message, said storage server stores said message sent from said gateway device through said network.

Ushika teaches sending said message to said storage server, said information terminal sends a signal representing a start of transmission of said message, sends said message, and sends a signal representing an end of transmission of said message, said method further comprising the step of:

sending, from a gateway device, said message sent from said information terminal through said network to said storage server after the gateway device has

detected the signal representing the start of transmission of said message sent from said information terminal until the gateway device detects the signal representing the end of transmission of said message sent from said information terminal; (**See figures 1-5, and paragraphs [0005] – [0007] and [0056] - [0063], Ushika.**)

wherein in said step of storing said message, said storage server stores said message sent from said gateway device through said network. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the gateway device of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (**See paragraphs [0017] – [0022], Ushika.**)

Regarding **Claim 17**,

Kenji and Ushika teach the method according to claim 16, further comprising the step of: sending said message stored by said storage server through said network to external display means. (**See figures 1-5 and 14 and paragraphs [0073] – [0076], Ushika.**)

**Regarding Claim 18,**

Kenji and Ushika teach the method according to claim 16, further comprising the step of: displaying said message stored by said storage server on display means in said storage server. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

**Regarding Claim 20,**

Kenji discloses the method according to claim 19.

Kenji does not explicitly teach authenticating said first information terminal with an authentication server when said first information terminal requests a start of distribution of the data to said second information terminal, using at least one of a time at which said first information terminal requests the start of distribution of the data and an identification number of said first information terminal; and

performing a call processing process with a call processing server for connecting said second information terminal to said network if said authentication server authenticates said first information terminal successfully; wherein in said step of distributing the data to said second information terminal, said distribution server distributes the data through said network to said second information terminal while said second information terminal is being connected to said network by said call processing server.

Ushika teaches authenticating said first information terminal with an authentication server when said first information terminal requests a start of distribution of the data to said second information terminal, using at least one of a time at which

said first information terminal requests the start of distribution of the data and an identification number of said first information terminal; and **(See figures 1, 4, 15, and paragraphs [0068] - [0073], Ushika.)**

performing a call processing process with a call processing server for connecting said second information terminal to said network if said authentication server authenticates said first information terminal successfully; wherein in said step of distributing the data to said second information terminal, said distribution server distributes the data through said network to said second information terminal while said second information terminal is being connected to said network by said call processing server. **(See figures 1, 4, 15, and paragraphs [0074] - [0084], Ushika.)**

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the authentication server and call processing server of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. **(See paragraphs [0020] – [0028], Ushika.)**

Regarding **Claim 22**,

Kenji teaches the method according to claim 19.

Kenji does not explicitly teach wherein in said step of sending said message to said storage server, said second information terminal sends a signal representing a start of transmission of said message, sends said message, and sends a signal representing an end of transmission of said message, said method further comprising the step of:

sending, from a gateway device, said message sent from said second information terminal through said network to said storage server after the gateway device has detected the signal representing the start of transmission of said message sent from said second information terminal until the gateway device detects the signal representing the end of transmission of said message sent from said second information terminal;

wherein in said step of storing said message, said storage server stores said message sent from said gateway device through said network.

Urshika teaches wherein in said step of sending said message to said storage server, said second information terminal sends a signal representing a start of transmission of said message, sends said message, and sends a signal representing an end of transmission of said message, said method further comprising the step of:

sending, from a gateway device, said message sent from said second information terminal through said network to said storage server after the gateway device has detected the signal representing the start of transmission of said message sent from said second information terminal until the gateway device detects the signal representing the end of transmission of said message sent from said second

information terminal; (**See figures 1-5, and paragraphs [0005] – [0007] and [0056] – [0063], Ushika.**)

wherein in said step of storing said message, said storage server stores said message sent from said gateway device through said network. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

One of ordinary skill would have been motivated to combine the teachings of Ushika and Kenji since both teachings provide deal with transferring of audio or video data across mobile or wireless networks, and as such both teachings are within the same environment.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the gateway device of Ushika into the teachings of Kenji in order to make the transferring of audio or video data between locations more secure ultimately making the cyber ceremonial system of Kenji more robust and efficient. (**See paragraphs [0017] – [0022], Ushika.**)

Regarding **Claim 23**,

Kenji and Ushika teach the method according to claim 22, further comprising the step of: sending said message stored by said storage server through said network to external display means. (**See figures 1-5 and 14 and paragraphs [0073] – [0076], Ushika.**)

Regarding **Claim 24**,

Kenji and Ushika teach the method according to claim 22, further comprising the step of: displaying said message stored by said storage server on display means in said storage server. (**See figures 1-5 and 14 and paragraphs [0075] – [0079], Ushika.**)

***Response to Arguments***

Applicant's arguments with respect to claim 1-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

***Hand-delivered responses should be brought to***  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NINOS DONABED whose telephone number is (571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ninos Donabed/  
Examiner, Art Unit 2144

/J. Bret Dennison/  
Examiner, Art Unit 2143